EXHIBIT “D”

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LAW OFFICES OF
THOMAS M. MULLANEY
708 THIRD AVENUE, SUITE 2500
NEW YORK, NEW YORK 10017
Tel.: (212) 223-0800
Fax: (212) 661-9860

September 21, 2006

James P. Bonner, Esq.
Shalov Stone & Bonner LLP
485 Seventh Ave., Suite 1000
New York, New York 10018

Dear Mr. Bonner:

Thank you for your letter, faxed to my office the evening of September 19, 2006. Please allow me to correct a couple misapprehensions in that letter. First, I do not believe that Judge Holwell ordered the provision of the Memorandum of Understanding to any party. Second, I do not have any co-counsel in this matter.

As far as the informal discovery documents of defendants, the defendants are still drafting the confidentiality agreement and proposed order to which I believe you refer in the second paragraph of your letter. Once that is completed, which is expected to be today or tomorrow, any and all documents that have been or will be produced by defendants will be provided to any firm, including yours, that executes the agreement.

Feel free to give me a call with any further questions.

Sincerely,

Tom

Thomas M. Mullaney

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TELEFAX COVER SHEET

To: James P. Bonner
Shalov Stone & Bonner LLP

From: THOMAS M. MULLANEY

Date: September 21, 2006

Re: AMLP Litigation

No. of Pages:

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Shalov Stone & Bonner LLP

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